

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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DANIEL W. FAERFERS and
KATJA FAERFERS,

NO. CIV. S 04-2690 MCE PAN

Plaintiffs,

v.

ORDER

CAVIAR CREATOR, INC, et al.,

Defendants.

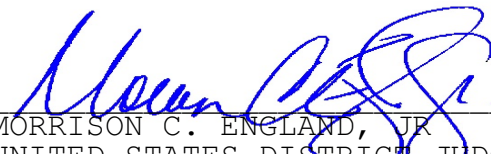
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On March 4, 2005, Plaintiffs filed their first amended complaint. On March 14, 2005, Defendants filed a motion to dismiss portions of Plaintiffs' first amended complaint. In opposition, Plaintiffs acknowledged the merit of Defendants' motion and requested leave to file a second amended complaint. (Opp'n at 1:21-25.) Defendants have offered to challenge aspects of Plaintiffs' second amended complaint in a later motion. (Reply at 1:18-23.)

1 The Court grants Defendants' motion to dismiss Plaintiff's
2 third cause of action for fraud. Plaintiffs are granted twenty
3 (20) days from the date of this order to file a second amended
4 complaint.¹

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6 IT IS SO ORDERED.

7 Dated: May 17, 2005

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11 MORRISON C. ENGLAND, JR.
12 UNITED STATES DISTRICT JUDGE
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28 ¹ This matter was deemed suitable for decision without oral
argument. Local Rule 78-230(h).